

06-18-07

1 FN 2612

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Rick V. Murakami et al.

Docket No.

36360/1.9

Application No.

09/758,836

Filing Date

January 10, 2001

Examiner

Nam V. Nguyen

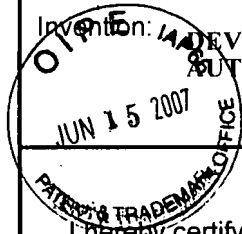
Customer No.

32642

Group Art Unit

2612

Invention: **DEVICE USING HISTOLOGICAL AND PHYSIOLOGICAL BIOMETRIC MARKER FOR AUTHENTICATION AND ACTIVATION**



I hereby certify that the following correspondence:

Information Disclosure Statement (3 pgs.); PTO-1449 (2 pgs.) with copies of ten foreign cited references (152 pgs.); PTO-2038 Credit Card Payment Form in the amount of \$180.00; postcard.

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 15, 2007  
(Date)

John R. Thompson

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Rick V. Murakami et al.**

Confirmation No. 9796

Application No. 09/758,836

Filed: January 10, 2001

For: **DEVICE USING HISTOLOGICAL  
AND PHYSIOLOGICAL BIOMETRIC  
MARKER FOR AUTHENTICATION  
AND ACTIVATION**

Group Art Unit: 2612

Examiner: Nam V. Nguyen

Attorney Docket No. 36360/1.9

Date: June 15, 2007

INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.
  - ☒ Copies of listed U.S. patents and U.S. patent application publications are not required for submission. (37 C.F.R. § 1.98(a)(2)(ii))
  - ☒ Copies of listed foreign patent documents and/or non-patent literature are enclosed. (37 C.F.R. § 1.98(a)(2))
  - ☐ Copies of the documents listed at (sheet/cite no.) \_\_\_\_\_ of the attached Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. \_\_\_\_\_, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))
  - ☐ A copy of copending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, for \_\_\_\_\_, listed at (sheet/cite no.) \_\_\_\_\_ of the attached Form PTO-1449 (or equivalent), ☐ is enclosed / ☐ is omitted. (Copy not required if available via IFW. 1287 OG 163 (Oct. 19, 2004).).

06/18/2007 EHAILE1 00000017 09758836

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180.00 OP

2. This information disclosure statement is being submitted (check box a., b., or c.):
- a. ☐ Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or
  - b. ☒ After the period set forth in paragraph 2a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
    - i. ☒ The \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is paid herewith, or
    - ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below; or
  - c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is the \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).

3. Fee Payment

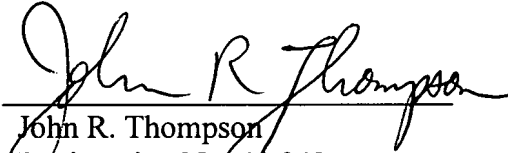
- a. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
  - b. ☐ Please charge our Deposit Account No. 502375 in the amount of \$\_\_\_\_\_.
  - c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with filing of these papers, or credit overpayment to Deposit Account No. 502375.
4. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:

- ☐ each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

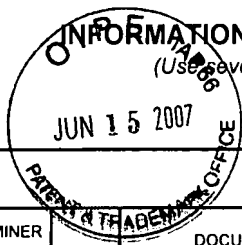
5. ☐ A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is set forth below.

Respectfully submitted,

**Ensign Holdings, LLC**

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ATTY DOCKET NO. 36360/1.9	APPLICATION NO. 09/758,836
APPLICANT(S) Rick V. Murakami et al.	
FILING DATE January 10, 2001	GROUP ART UNIT 2612

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,704,352	01/06/98	Tremblay et al.	128	630	11/22/95
	A2	5,789,733	08/04/98	Jachimowicz et al.	235	492	09/20/96
	A3	5,872,834	02/16/99	Teitelbaum	379	93.03	09/16/96
	A4	4,109,237	08/22/78	Hill	340	146.3	01/17/77

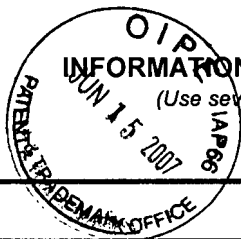
U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B1	Sho 60-126787	6 July 85	JP			✓	
	B2	Sho 63-313288	21 Dec 88	JP			✓	
	B3	Sho 63-53099	7 Mar 88	JP			✓	
	B4	Hei 1-175362	13 Dec 89	JP			✓	
	B5	Hei 4-24889	28 Jan 92	JP			✓	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

ATTY DOCKET NO.

36360/1.9

APPLICATION NO.

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Rick V. Murakami et al.

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**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B6	Sho 63-120385	24 May 88	JP			✓	
	B7	Sho 63-20583	28 Jan 88	JP			✓	
	B8	Sho 61-175865	7 Aug 86	JP			✓	
	B9	WO 88/04153	16 June 88	PCT	A61B	5/10		
	B10	WO 98/37519	27 Aug 98	PCT	G07C	9/00		

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
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